

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WILLIAM KEY,

Plaintiff,

v.

No. 2:17-cv-1171-RB-KRS

BUTCH'S RAT HOLE & ANCHOR
SERVICE, INC.,

Defendant.

CLASS CERTIFICATION SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on March 6, 2018. At the hearing, the Court adopted the parties' proposed Joint Amended Status Report and Provisional Discovery Plan ("JSR"), with slight modifications, as reflected in the dates below. In so adopting, the Court found that it would best serve the interests of judicial economy for the parties to conduct discovery in two stages.

IT IS, THEREFORE, ORDERED that the first stage of discovery will be limited to class certification issues, including the question of whether casing floor hands are exempt from the New Mexico Minimum Wage Act, and the parties shall adhere to the following discovery plan:

- (a) Maximum of twenty-five (25) interrogatories per party to the other party with responses due thirty (30) days after service;
- (b) Maximum of fifty (50) requests for admission per party to the other party with responses due thirty (30) days after service.

IT IS FURTHER ORDERED that the following case management deadlines shall govern Stage One:

- (a) Deadline for the parties to amend pleadings and/or join parties: **June 15, 2018;**
- (b) Disclosure of Plaintiff's expert(s) on class issues: **June 29, 2018;**
- (c) Disclosure of Defendant's expert(s) on class issues: **July 31, 2018;**
- (d) Discovery on class issues terminates: **September 17, 2018;**
- (e) Plaintiff's motion for class certification: **October 15, 2018;**
- (f) Defendant's response to class certification motion: **October 30, 2018;**
- (g) Plaintiff's reply: **November 14, 2018.**

The Court must approve any changes to the timing or scope of discovery. Requests by a party to change the timing or scope of discovery must be made by motion and before the termination of discovery or the expiration of any applicable deadline.

Within twenty-one (21) days after the Court rules upon Plaintiff's motion for class certification, the parties shall submit an amended JSR which addresses the balance of the case.

IT IS SO ORDERED.



KEVIN R. SWEAZE
UNITED STATES MAGISTRATE JUDGE